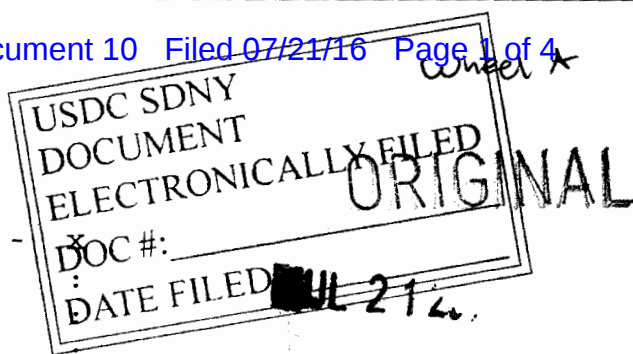


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

- v. -

SANNY NEMIS,

Defendant

INDICTMENT

16 Cr.

16 CRIM 498

COUNT ONE

The Grand Jury charges:

1. From at least in or about March 2009, up to and including at least in or about March 2013, in the Southern District of New York and elsewhere, SANNY NEMIS, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate and agree together and with each other to commit an offense against the United States, to wit, immigration fraud, in violation of Title 18, United States Code, Section 1546(a).

2. It was a part and object of the conspiracy that SANNY NEMIS, the defendant, and others known and unknown, would and did knowingly make under oath, and as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribe as true, false statements with respect to material facts in applications, affidavits, and other documents required by the immigration laws and regulations prescribed thereunder, and knowingly presented such applications, affidavits, and other documents which contained such false statements and which failed to

contain any reasonable basis in law and fact, to wit, NEMIS and others prepared and submitted fraudulent applications in support of H-1B visa applications, in violation of Title 18, United States Code, Section 1546(a).

**Overt Act**

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. In or about 2012, SANNY NEMIS, the defendant, sent emails to a co-conspirator not charged as a defendant herein ("CC-1") in which NEMIS instructed CC-1 to provide false information to consular officials during CC-1's interview in support of CC-1's application to obtain an H-1B visa.

(Title 18, United States Code, Section 371.)

**Forfeiture Allegation**

4. As a result of committing the offense alleged in Count One of this Indictment SANNY NEMIS, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(6) any and all property, real and personal, that constitutes or is derived from, or is traceable to, proceeds obtained directly or indirectly from the commission of the offense; and any and all property, real or personal, that was used to facilitate, or was intended to be used to facilitate, the commission of the offense alleged in Count One of this Indictment.

Substitute Assets Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982;  
Title 21, United States Code, Section 853; and  
Title 28, United States Code, Section 2461.)

  
FOREPERSON

  
PREET BHARARA  
United States Attorney

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

SANNY NEMIS,

Defendant.

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INDICTMENT

16 Cr.

(18 U.S.C. § 371.)

PREET BHARARA  
United States Attorney.

A TRUE BILL

Foreperson.

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*Deputy* 